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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,595	09/04/2001	Naohiko Ichimura	011120	1708

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EXAMINER

VORTMAN, ANATOLY

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/944,595

Applicant(s)

ICHIMURA, NAOHIKO

Examiner

Anatoly Vortman

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-3, are rejected under 35 U.S.C. 102(e) as being anticipated by US 2002/0053629 to Hokugoh.

Regarding claim 1, Hokugoh disclosed (Fig. 1-11) a display device comprising:

a display part (3); and a base part (4) supporting the display part (3), said base part (4) comprising:

a tilt unit (13) to mount the display part (3) thereon for rotation about a first axis;  
a first member (14) directly or indirectly supporting the tilt unit (13);  
a second member (11) disposed in a facing relationship with the first member (14);  
a guide part (21, 22, 53, 54) provided on one of the first member (14) and the second member (11) for relative rotation therebetween about a second axis different from the first axis;  
and at least one low friction member (12) disposed between the first member (14) and the second member (11).

Art Unit: 2835

Regarding claims 2 and 3, Hokugoh disclosed a cover (15) having an aperture (61), wherein the tilt unit (13) is fixed to the first member (14) through the aperture (61) of the cover (15), (Fig. 3), the cover (15) is indirectly fixed to the first member (14), and the first member (14) is disposed between the cover (15) and the second member (11).

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 5, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hokugoh in view of US/6,231,020 to Willson.

Hokugoh disclosed all of the claims limitations as apply to claims 1 and 3, respectively, but did not disclose that said low friction member comprises a plurality of boll-shaped or mushroom-shaped members.

Willson disclosed (Fig. 6) a swivel device for computer equipment comprising a plurality of ball-shaped low friction members (86) disposed between first (40) and second (44) members.

Since the inventions of Hokugoh and of Willson are from the same field of endeavor (swiveling support devices for computer equipment), the purpose of ball-shaped low friction members disclosed by Willson would be recognized in the invention of Hokugoh.

It would have been obvious to a person of ordinary skill in computer art at the time the invention was made to substitute the low friction member (12) of Hokugoh with a plurality of ball-shaped low friction members as taught by Willson, in order to enhance convenience for a user by reducing the friction between said first and second members of Hokugoh.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

US/5102082, 5518216, 4880191, 4858864, 4919387, 5024415, 5168423, 5209446, 5335142, 5632463, 5687944, 5732922, 5881985, 5895022, 6007038, 4552418, 3936026, 4566663, 4570892, 4589713, 4591120, 4621782, 5149043, 4852830, and JP/2000-308248 disclosed various adjustable (swiveling) support devices for computer displays.

Please note, that US/5102082 and US/5518216 would have been also sufficient for rejection under 35 USC § 102 of at least claim 1.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 703-308-7824. The examiner can normally be reached on 9:30-6:00, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for

Application/Control Number: 09/944,595

Page 5

Art Unit: 2835

the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

Anatoly Vortman  
Primary Examiner  
Art Unit 2835

A.V.  
November 1, 2002

A handwritten signature in cursive script, appearing to read "A. Vortman", followed by a horizontal flourish line.